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## **Former jurors still haunted by Idaho trial of Joseph Duncan III**

MEGHANN M. CUNIFF

Trauma brought them together. Stories of murder, kidnapping and child rape invaded their lives for three weeks in 2008, and the terror still lives on in their minds. It could be a little boy at a grocery store who triggers it. Or a girl and her father holding hands.

Is that really her dad?

Before these Treasure Valley residents heard the story of Joseph Edward Duncan III, such a question never would have crossed their minds.

But more than four years after a federal jury of 12 sentenced Duncan to death, four of the people who served told the Idaho Statesman that they're still haunted by the case and horrified that other citizens might be subjected to what they had to sit through if Duncan gets a new trial.

They share a bond that leads them to meet regularly for dinner or other activities.

"We liken it to somebody who's gone to war," said Susan, a bookkeeper in her 50s. "You don't have to talk about it. You just know where you've been."

The jurors, who all live in Ada or Canyon counties, invited a Statesman reporter to their regular dinner at a Mexican restaurant in Nampa last month. They asked not to be identified by their full names because they fear being scrutinized by anti-death penalty advocates, and because some of their own friends and co-workers don't know about their involvement in the case.

**'CAN'T GET OVER IT'**

The four jurors consider themselves close friends. Others sometimes join them, but a couple of jurors haven't been heard from since the verdict.

"It really affected some of us a lot," said Tommy, a cable company employee in his 40s.

Chris, who works as a waitress in Boise, was one of three alternate jurors who sat through the case but didn't participate in deliberations. Instead, she and the other alternates sat in a room while jurors deliberated. They were prohibited from talking about the case.

"Some of my friends that I had before can't understand why I can't get over it," said Chris, who is in her 40s.

But Susan and Shannon, a nurse in her 30s, know exactly what she's been through. Chris considers them two of her closest friends.

"These girls are so good to me," she said. "It's like we just pick up right where we left off."

It started with a barbecue a few weeks after the trial. Soon, they were meeting regularly for dinner, drinks or just to chat. None had ever experienced such a bond before.

They had stopped talking about the case long ago, but news of Duncan's new hearing rekindled the conversation.

Susan said she has a message for Duncan's attorneys.

"Shame on you," she said. "You're valuing his life over the people who sat on that jury."

## BURDEN FOR LAWYERS, TOO

Former Attorney General David Leroy said a lawyer who accepts a case like Duncan's "literally lives that defendant's life in segments for days or weeks or months."

"It invokes a heavy personal toll to represent people with dreadful problems," Leroy said. "Far from being condemned, lawyers who do that should be commended, because it's important and painful work."

The jurors have never heard about Duncan's life, including the abuse he suffered as a boy.

Hearing his sister recount childhood beatings prompted Duncan to do something he's never before done in court: Cry. His face reddened when Cheri Cox took the stand, and he wept as she choked back sobs recounting abuse she said she'd long tried to forget.

Duncan appeared interested but more stoic as mitigation experts recalled him telling them about being sexually abused as a child and being shown sadistic photos of children being sexually tortured, according to testimony. He told a psychiatrist that he thought of those photos when he raped a boy at gunpoint when he was 16. The assault earned Duncan 20 years in prison, and he was placed in sex offender treatment with adults, something experts say wouldn't happen now.

Duncan was repeatedly abused in prison and told investigators that he began plotting revenge on society by studying kidnapping and murder. He also suffered two head injuries - one when he was hit with a shovel as a boy and another at age 15 when he was in a car crash.

Mark Larranaga, Duncan's former lawyer, testified last week that even if a new jury hears all the details of Duncan's childhood, it's unlikely they would spare his life. "It would have been difficult, not impossible," Larranaga said.

But the jurors who spent three weeks listening to testimony about Duncan's horrific crimes say nothing could sway them from imposing death.

"Lots of people are abused as kids" but don't abuse others, said Tommy.

## NEVER THE SAME

Susan served on a jury for a civil case years ago, but the experience was unremarkable. "I couldn't even tell you the names of other jurors," she said.

But a case like Duncan's? "I just know none of us will ever be the same after seeing something like that," Shannon said. "You can never go back."

Learning the details of Duncan's crimes and his meticulous planning altered their everyday activities. Even activities such as camping bring reminders of Duncan's crimes and the weeks he held children captive in Montana's Lolo National Forest.

"I can't even go camping without locking up my trailer," Shannon said.

Susan spends more time at home and constantly questions her safety in public. "I don't go out at night unless I'm with my husband," she said.

The trial lasted three weeks but the process took much longer. Potential jurors first reported to the federal courthouse in April 2008 and were told not to take vacations until a jury was selected, which didn't occur until August because the court accommodated Duncan's request to represent himself.

All jurors were promised counseling but the six to eight sessions went quickly. And the counselors were hit or miss, the jurors said. Once they found a counselor who seemed like a good match, their sessions were almost up. They sought more through the federal court system but got nowhere.

"They should be paying for my counseling until I die," Susan said. "It just sickens me that another group of people might have to go through this."

Read more here: <http://www.theolympian.com/2013/02/10/v-print/2417791/former-jurors-still-haunted-by.html#storylink=cpy>